

Senate Study Bill 1125

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES AND
ENVIRONMENT BILL BY
CHAIRPERSON HOUSER)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the sale of wine produced by native wineries
2 in this state.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2669SC 80
5 rn/sh/8

PAG LIN

1 1 Section 1. Section 123.56, subsection 1, Code 2003, is
1 2 amended to read as follows:
1 3 1. Subject to rules of the division, manufacturers of
1 4 native wines from grapes, cherries, other fruits or other
1 5 fruit juices, vegetables, vegetable juices, dandelions,
1 6 clover, honey, or any combination of these ingredients,
1 7 holding a class "A" wine permit as required by this chapter,
1 8 may sell, keep, or offer for sale and deliver the wine. Sales
1 9 may be made at retail for off-premises consumption when sold
1 10 on the premises of the manufacturer, or in a retail
1 11 establishment operated by the manufacturer ~~which is no closer~~
~~1 12 than five miles from an existing native winery.~~ Sales may
1 13 also be made to class "A" or retail wine permittees or liquor
1 14 control licensees as authorized by the class "A" wine permit.

1 15 Sec. 2. Section 123.179, subsection 2, Code 2003, is
1 16 amended to read as follows:
1 17 2. The annual permit fee for a class "B" wine permit is
1 18 five hundred dollars. However, a person who has been issued a
1 19 class "C" beer permit and who sells wine produced by a
1 20 vineyard located in this state for consumption off the
1 21 premises shall be assessed an annual permit fee corresponding
1 22 to the permit fee the person is assessed pursuant to section
1 23 123.134, subsection 3, for the sale of beer for consumption
1 24 off the premises.

EXPLANATION

1 25 This bill provides for the deletion of a requirement that
1 26 sales of wine by manufacturers of native wines made for off=
1 27 premises consumption at a retail establishment operated by the
1 28 manufacturer may occur only when the retail establishment is
1 29 no closer than five miles from an existing native winery.

1 30 The bill also provides that a person who has been issued a
1 31 class "B" retail wine permit, which authorizes the permittee
1 32 to sell wine in original containers for consumption off the
1 33 premises, and who also holds a class "C" beer permit, which
1 34 authorizes the permittee as a grocery store or pharmacy to
2 1 sell beer at retail for off=the=premises consumption, shall be
2 2 assessed an annual wine permit fee corresponding to the level
2 3 of the fee assessed for the class "C" beer permit. The bill
2 4 provides that this provision applies to a permittee selling
2 5 wine produced by vineyards located in this state. The
2 6 practical effect of the bill would be to reduce the level of
2 7 the wine permit fee, because the fees assessed for class "C"
2 8 beer permits are lower than the \$500 fee assessed for a class
2 9 "B" wine permit.
2 10 LSB 2669SC 80
2 11 rn/sh/8